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SUBJECT: OUTRAGED BULGARIA CONDEMNS LIBYAN DEATH SENTENCES OF
NURSES, BLASTS THE TRIAL AS CORRUPT

Ref: (A) Tripoli 0634, (B) Sofia 01230

11. (SBU) SUMMARY: Bulgaria predictably reacted with shock and outrage to the Tripoli Criminal Court decision to confirm the death sentences of five Bulgarian nurses and a Palestinian doctor accused of deliberately infecting more than 400 Libyan children with HIV. Although largely expected, the decision triggered a stormy reaction in Bulgaria where top politicians, who so far have tried to use restraint on this sensitive issue, used their harshest language so far to blast the Libyan move as political and corrupt. The President, the Prime Minister and politicians of all party stripes urged the Libyan state to release the medics and appealed for strong international reaction to further strengthen pressure on Libya. END COMMENT

PRESIDENT, PM ISSUE HARSH STATEMENT, CALL CASE "CORRUPT"

12. (U) FM Kalfin, in Washington for meetings with senior USG officials, issued the first statement; tough but comparatively tight. Public statements became stiffer as the day progressed. In a rare joint statement, Bulgaria's two top statesmen, President Georgi Parvanov and PM Sergei Stanishev condemned the Libyan Court's decision and rejected the death sentences. "The indisputable evidence of the innocence of the medics was once again not considered. The position of the international scientific community was neglected. The multiple violations of the human rights of our compatriots were not registered. All these facts give us ground to define this whole trial as corrupt," said the statement. The document called on Libyan authorities to interfere immediately, to revise and reject "these absurd sentences," and to release the Bulgarian medics and the Palestinian doctor. The two politicians appealed to the international community to "categorically condemn the decision of the court and to call on Libyan authorities for the immediate release of the nurses."

13. (U) After his initial statement (at around 0500 EDT), Foreign Minister Ivailo Kalfin, speaking to reporters from Washington, said the Libyan court's decision was "disappointing and outrageous". He noted that the Libyan court had disregarded the findings of the international experts about the origin of the HIV virus. "We understand the tragedy of the infected children and their families. However, the Libyan state should get involved in the resolution of this case. We are going to use all possible means to make this trial come to an end," said Kalfin. He reiterated Sofia's official position that compensation was "out of the question." "Although we sympathize deeply with the sick children and their families, we are confident that there is no connection between their tragedy and the Bulgarian nurses" he said. Kalfin noted that the U.S. has always been strongly supportive on the matter.

14. (U) "We cannot accept a court decision that disregards clear facts confirmed by the latest research of leading world experts, which rejects any connection between the activity of the Bulgarian nurses and the AIDS epidemic in the children's hospital in

Benghazi," the Ministry of Foreign Affairs said in a formal statement. "We are also convinced that any claims of a link between this tragedy and the work of the Bulgarian nurses and the Palestinian doctor is absolutely groundless and is misleading the Libyan nation and the families affected," said the statement.

MPS OF ALL STRIPES BLAST THE VERDICT AS POLITICAL

15. (U) In a rare consensus among Bulgarian politicians, MPs from all parties blasted the death sentences as a political move by Tripoli motivated largely by internal political reasons, and called for an international campaign for the medics' release. "Today's court ruling has clearly demonstrated that the Libyan courts are not independent, but working to defend a political regime that is struggling for its future," said Evgeni Kirilov, an MP from the ruling Bulgarian Socialist Party. "The death sentences show the case is clearly a political issue," said Christian Vigenin, another Socialist MP. Vigenin called on the EU, which Bulgaria is to join on January 1, to undertake specific actions with regard to the case.

He also noted the important role the U.S. has played in supporting Bulgaria on the case. The center-right party of ex-PM Ivan Kostov termed the sentences "a monstrous atrocity." "It has become absolutely clear that Bulgaria is confronting a certain political model and from now on, all means for reaching a favorable solution on the case should be political," the center-right party said, adding that the government has been naive to believe that Libya could hold a fair and transparent trial. In a joint declaration, Parliament urged the international community to condemn the court's decision and join the appeal for Libya to release the defendants immediately. "The death sentences cannot and should not be carried out. The Bulgarian MPs demand the immediate release of the Bulgarian nurses and the Palestinian doctor," said the declaration.

BULGARIA "PARTS WITH HYPOCRISY"

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16. (U) Even Chief Prosecutor Boris Velchev, known for his moderate and careful wording, was uncharacteristically harsh, saying the ruling was not based on any legal evidence. "I know the circumstances surrounding this case. I know very well that not a single fact warrants sentencing the Bulgarian medics. The ruling has nothing to do with the law." Velchev also vowed that Bulgaria will undertake legal actions against those who have tortured the Bulgarian nurses while in Libyan prison. "Today's death sentences showed that Libya has nothing in common with the law." He said today's developments showed Bulgaria should part with its hypocrisy on the case and abandon expectations that there could be a fair and transparent trial.

17. (U) Leading Bulgarian specialists on Arabic matters commented that that a favorable solution on the case could come only as a result of increased international pressure on Libya, but remained skeptical about the prospects for a quick solution given the internal political situation in Libya. Bulgarian jurists said they were shocked by the "impudence of the Libyan court", which has upheld the death sentences by using compromised evidence presented by the prosecutors containing numerous unclear references and factual mistakes.

18. (U) EU Justice Commissioner Franco Frattini said "It is a great disappointment" and that he was "shocked by this decision" to hand down the death penalties to the nurses and a Palestinian doctor. Frattini, also a Commission vice president, added "I strongly hope that the Libyan authorities will rethink this decision" which he described as "an obstacle to cooperation with the EU".

19. (SBU) All of this comes against a backdrop of private individuals and NGOs organizing spontaneous demonstrations across the country in support of the medics Q something that doesn't happen often in this society.

COMMENT

¶10. (SBU) We have urged several Bulgarian officials in the past few weeks to moderate their statements. This strong reaction by Bulgarian leaders reflects pent-up frustration and acknowledgement that the Bulgarian public has had enough. During recent years the Bulgarian government and people have shown a great deal of compassion and solidarity towards the fate of the infected children and their families. The government now faces a determined public. It still has some room for maneuver, but the tolerances are very tight.

KARAGIANNIS